

03-08-02

A

PTO/SB/05 (03-01)

App. for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

03/05/02  
JC984 U.S. PTOUTILITY  
PATENT APPLICATION  
TRANSMITTAL

Attorney Docket No.	27458-1/P11
First Inventor	Gary SPRAGUE
Title	DOOR RAIL SYSTEM
Express Mail Label No.	EL839589063US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

JC979 U.S. PTO  
10/092774  
03/05/02

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 24]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages 3]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
2900 Crystal Drive, Arlington, VA 22202

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 09, 631,148

Prior application information:

Examiner: S. Varner

Group Art Unit: 3635

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach barcode label here)

or ☒ Correspondence address below

Name	David B. Woycechowsky, Esq.				
Address	Luce, Forward, Hamilton & Scripps LLP 600 West Broadway, Suite 2600				
City	San Diego	State	CA	Zip Code	92101
Country	US	Telephone	(619) 699-2537	Fax	(619) 645-5397

Name (Print/Type)	David B. Woycechowsky	Registration No. (Attorney/Agent)	39,079
Signature	David B. Woycechowsky	Date	03/05/2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 908.00)

## Complete if Known

Application Number	Divisonal of 09/457,617
Filing Date	03/05/2002
First Named Inventor	Gary Sprague
Examiner Name	Not Yet Known
Group Art Unit	Not Yet Known
Attorney Docket No.	27458-1/P11

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0683**  
 Deposit Account Name **Luce, Forward, Hamilton & Scripps LLP**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
19	-20** = 0		
5	-3** = 2	84.00	168.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 908.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	David B. Woycechowsky	Registration No. (Attorney/Agent)	39,079	Telephone	(619) 699-2537
Signature	<i>David B. Woycechowsky</i>	Date	03/05/2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# LUCE FORWARD

ATTORNEYS AT LAW • FOUNDED 1873

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

600 West Broadway  
Suite 2600  
San Diego, CA 92101  
619.236.1414  
619.232.8311 fax  
www.luce.com

DAVID B. WOYCECHOWSKY, ASSOCIATE  
DIRECT DIAL NUMBER 619.699.2537  
DIRECT FAX NUMBER 619.645.5397  
EMAIL ADDRESS DWOYCECHOWSKY@LUCE.COM

March 5, 2002

27458-1/P11

Box Patent Application  
Assistant Commissioner for Patents  
2900 Crystal Drive  
Arlington, VA 22202-3513

I hereby certify that the original of this document and the enclosures referred to therein are being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service, under 37 C.F.R. § 1.10 on March 5 2002, and addressed to Box Patent Application, Assistant Commissioner for Patents, 2900 Crystal Drive, Arlington, VA 22202-3513.

  
Saul M. Solano

EL839589063US

"Express Mail" Mailing Label No.

Title: DOOR RAIL SYSTEM  
Applicant: Gary SPRAGUE  
Serial No.: Divisional of 09/457,617  
Atty. No.: 27458-1/P11

Dear Sir or Madam:

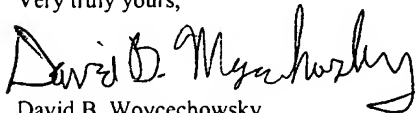
Please effect filing of the following documents in the above-identified patent application:

- Patent Application Transmittal;
- Fee Transmittal for FY 2002;
- Copy of Application as originally filed in patent application 09/613,148, including eight (8) sheets of informal drawings;
- Preliminary Amendment and Remarks;
- Clean Version of the Specification;
- One sheet of informal drawings (Fig. 14);
- Marked Up Version of the Specification;
- Copy of Declaration and Power of Attorney from prior application; and
- Information Disclosure Statement with copies of 24 references.

So that we may have a timely record of this filing, please date stamp the enclosed stamped, self-addressed postcard and deposit it in the U.S. mail.

If there are any questions regarding any of the enclosed materials, the United States Patent and Trademark Office is requested to contact the undersigned attorney for the applicant at the number listed above.

Very truly yours,



David B. Woycechowsky  
Attorney for Applicant  
Registration No. 39,079  
For  
Luce, Forward, Hamilton & Scripps LLP  
DBW/SMS  
Enclosure

cc: Lloyd Talbert (w/encls)  
Gary Sprague (w/encls)  
Martin Fern, Esq. (w/encls)

1710910.1